

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

CHARLES LOSEE,)	
)	
Claimant,)	IC 04-527578
)	
v.)	
)	
GCX EXPRESS, INC.,)	
)	
Employer,)	
)	ORDER
)	
STATE INSURANCE FUND,)	Filed
)	March 15, 2006
Surety,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Alan Taylor submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED That:

1. Claimant has proven that his industrial accident of December 6, 2004, caused lumbar strain.
2. Claimant has failed to prove that he is entitled to lumbar surgery due to his December 6, 2004, industrial accident.

Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this 15th day of March, 2006.

INDUSTRIAL COMMISSION

/s/
Thomas E. Limbaugh, Chairman

/s/
James F. Kile, Commissioner

/s/
R. D. Maynard, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of March, 2006, a true and correct copy of the foregoing **Order** was served by regular United States Mail upon each of the following persons:

REED G SMITH
942 MYRTLE STREET
BOISE ID 83707

JON M BAUMAN
PO BOX 1539
BOISE ID 83701

kr

/s/